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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/11/2014	.	
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The Committee on Banking and Insurance (Hays) recommended the following:

Senate Amendment

Delete lines 282 - 343

and insert:

Section 7. Paragraph (b) of subsection (1) of section 626.112, Florida Statutes, is amended to read:

626.112 License and appointment required; agents, customer representatives, adjusters, insurance agencies, service representatives, managing general agents.—

(1)



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11 (b) Except as provided in subsection (6) or in applicable
12 department rules, and in addition to other conduct described in
13 this chapter with respect to particular types of agents, a
14 license as an insurance agent, service representative, customer
15 representative, or limited customer representative is required
16 in order to engage in the solicitation of insurance. Effective
17 October 1, 2014, new limited customer representative licenses
18 may not be issued. For purposes of this requirement, as
19 applicable to ~~any of~~ the license types described in this
20 section, the solicitation of insurance is the attempt to
21 persuade any person to purchase an insurance product by:

- 22 1. Describing the benefits or terms of insurance coverage,
23 including premiums or rates of return;
- 24 2. Distributing an invitation to contract to prospective
25 purchasers;
- 26 3. Making general or specific recommendations as to
27 insurance products;
- 28 4. Completing orders or applications for insurance
29 products;
- 30 5. Comparing insurance products, advising as to insurance
31 matters, or interpreting policies or coverages; or
- 32 6. Offering or attempting to negotiate on behalf of another
33 person a viatical settlement contract as defined in s. 626.9911.

34
35 However, an employee leasing company licensed under
36 ~~pursuant to~~ chapter 468 which is seeking to enter into a
37 contract with an employer that identifies products and services
38 offered to employees may deliver proposals for the purchase of
39 employee leasing services to prospective clients of the employee



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40 leasing company setting forth the terms and conditions of doing
41 business; classify employees as permitted by s. 468.529; collect
42 information from prospective clients and other sources as
43 necessary to perform due diligence on the prospective client and
44 to prepare a proposal for services; provide and receive
45 enrollment forms, plans, and other documents; and discuss or
46 explain in general terms the conditions, limitations, options,
47 or exclusions of insurance benefit plans available to the client
48 or employees of the employee leasing company were the client to
49 contract with the employee leasing company. Any advertising
50 materials or other documents describing specific insurance
51 coverages must identify and be from a licensed insurer or its
52 licensed agent or a licensed and appointed agent employed by the
53 employee leasing company. The employee leasing company may not
54 advise or inform the prospective business client or individual
55 employees of specific coverage provisions, exclusions, or
56 limitations of particular plans. As to clients for which the
57 employee leasing company is providing services pursuant to s.
58 468.525(4), the employee leasing company may engage in
59 activities permitted by ss. 626.7315, 626.7845, and 626.8305,
60 subject to the restrictions specified in those sections. If a
61 prospective client requests more specific information concerning
62 the insurance provided by the employee leasing company, the
63 employee leasing company must refer the prospective business
64 client to the insurer or its licensed agent or to a licensed and
65 appointed agent employed by the employee leasing company.

66 Section 8. Effective January 1, 2015, subsection (7) of
67 section 626.112, Florida Statutes, is amended to read:

68 626.112 License and appointment required; agents, customer



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69 representatives, adjusters, insurance agencies, service
70 representatives, managing general agents.-